

Attorney's Docket 126950-101

Serial No.: 10/417,395

INTERVIEW SUMMARY

On January 16, 2004, the undersigned attorney telephoned the Examiner to request clarification of the Examiner's Office Action as it pertained to U.S. Patent No. 6,068,325, to *Hughes*. The Examiner explained her position that the word "side", when referring to a golf cart in the original claims, could be interpreted to include the rear of a golf cart, and that a golf cart shield covering the rear of a golf cart is disclosed in *Hughes*. The undersigned attorney thanks the Examiner for taking the time for the telephone interview.

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REMARKS

In response to the Examiner's restriction requirement, Applicant affirms the provisional election made by the undersigned attorney to prosecute the invention of the golf cart shield, claims 1-18. Claims 19 - 23 have been withdrawn. New claims 24 and 25 have been added.

The Examiner noted the use of the trademark VELCRO® in the specification and indicated it should be capitalized and accompanied by generic terminology. The specification has been amended to correct each use of the trademark and include generic terminology along with the trademark.

The Examiner rejected claims 1 - 18 under 35 U.S.C. 112 second paragraph, as indefinite for various reasons. Claims 1, 6, 13 and 16 have been amended to overcome the rejection. Claims 1 and 16 have been amended to delete the phrase ", said sheet being adapted to cover either one of two open sides of said golf cart". Claim 6 has been amended to delete "hem" and insert "at least one" before "said" and the plural form "hems" after "said". Claim 13 has been amended to delete "Velcro-type" and replace it with "hook and loop". These amendments are submitted to overcome the rejections under 35 U.S.C. 112-second paragraph.

The Examiner rejected claims 1, 2, 4 and 16 under 35 U.S.C. 102(b) as anticipated by *Hughes* (U.S. Patent 6,068,325). Claims 1 and 16 have been amended to recite that the sheet of flexible, water-repellent material is adapted to cover only one open passenger side of a golf cart. Support for this amendment is found in paragraphs [0001] and [0003] of the specification, as well as in FIG. 1. *Hughes* discloses a cover for the rear club compartment of a golf cart to protect the golf bag and clubs from exposure to precipitation (col. 1 lines 12-23, col. 2 lines 59-62, col. 3 lines 3-5, 56-59, col. 4 lines 57-60). *Hughes* distinguishes the rear club compartment 26 from the passenger compartment 30 of the cart 25 (see col. 3 lines 41-59). *Hughes* does not disclose a flexible sheet adapted to cover only one open passenger side of the cart. Thus, the present invention may help to protect passengers, whether the passenger be the driver or the non-driver of the cart, from rain and inclement weather. Accordingly, *Hughes* does not anticipate

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claims 1 and 16 as amended and claims 1 and 16 are submitted to be allowable over *Hughes*. Claim 2 is dependent on claim 1 and is submitted to be allowable for the same reasons as claim 1. Claim 4 is dependent on claim 2 and is submitted to be allowable for the same reasons as claim 1.

The Examiner rejected claims 3, 5, 15 and 17 under 35 U.S.C. 103(a) as unpatentable over *Hughes*. *Hughes* does not disclose or suggest a cover for only one open side of a the passenger compartment of a golf cart. Applicant's cover is developed to shield one of the sides of the cart's passenger compartment, whereas the *Hughes* cover is directed to protecting golf clubs located in a rear compartment of the cart, not the passenger area or compartment. Accordingly, *Hughes* does not suggest such a cover for the passenger area which is transparent as recited in claim 3, nor one that has a hem along its bottom and side edges as recited in claim 5. Furthermore, *Hughes* does not suggest a cover for the *passenger* area having a hem made of nylon as recited in claim 6, nor such a cover that is reversible as recited in claim 15. Accordingly, claims 3, 5, 6, 15 and 17 are submitted to be allowable and not rendered obvious by *Hughes*.

The Examiner rejected claims 7, 10 and 18 under 35 U.S.C. 103(a) as unpatentable over *Hughes* in view of *West* (U.S. Patent 4,013,315). *Hughes* does not disclose or suggest a cover for only one open side of the passenger compartment of a golf cart as mentioned in the discussion of the rejection of claims 1 and 16 above. Accordingly, the combination of *West* with *Hughes* does not suggest a cover of the type claimed by Applicant having a plurality of connectors for attaching the bottom and side edges to the golf cart as recited in claims 7 and 18. Nor do the combined references suggest a cover of the type claimed by Applicant having additional connectors comprising straps attached to at least one side edge of the sheet at spaced apart locations as recited in claim 10. Accordingly, claims 7, 10 and 18 are submitted to be allowable and not rendered obvious by the combination of *West* with *Hughes*.

The Examiner rejected claims 7, 8, 9, 11, 12, 13, 14, and 18 under 35 U.S.C. 103(a) as unpatentable over *Hughes* in view of *Scidmore* (U.S. Patent 527,162). Again, *Hughes* does not disclose or suggest a cover for only one open side of the passenger compartment of a golf cart as mentioned in the discussion of the rejection of claims 1, 2 and 16 above. Accordingly, the combination of *Scidmore* with *Hughes* does not suggest a

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cover of the type claimed by Applicant having the additional features recited in dependent claims 7, 8, 9, 11, 12, 13, 14 and 18. Claims 7, 8, 9, 11, 12, 13, 14 and 18 are submitted to be allowable and not rendered obvious by the combination of *Scidmore* with *Hughes*.

New claims 24 and 25 have been added. Claim 24 is an independent claim which recites a soft golf cart shield comprising a sheet of flexible water-repellent material for fully covering only one open side of the passenger compartment of the cart, said cover adapted to serve as a door to either side of the passenger compartment. At least one connector is provided for attaching the sheet to the cart so as to cover one open side of the passenger area. Support for this claim is found in the specification in paragraphs [0001] and [0003], lines 6 - 8 of paragraph [00010], and FIG. 1 of the drawings. Claim 25 is dependent on claim 24 and recites that the sheet has a hem along its top edge through which the connector is threaded. It also recites that the connector comprises a tethering means adapted to be attached at its opposite ends to a top portion of a frame of the cart. The references do not suggest a golf cart shield of the type recited in claims 24 and 25. Accordingly, claims 24 and 25 are submitted to be allowable.

The claims are submitted to be allowable on the basis of the above remarks and allowance is respectfully solicited.

#### CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. There being no other rejections, Applicants respectfully request that the current application be allowed and passed to issue.

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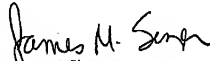
If the Examiner believes for any reason that personal communication will expedite prosecution of this application, or if the Examiner does not consider this Amendment and Response to place the application in order for issue, I ask that the Examiner telephone me directly.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees, including any fees for net addition of claims, which may be required for this Amendment, or credit any overpayment to deposit account No. 50-0436. Applicants believe that no extension of time is necessary, however, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to deposit account No. 50-0436.

Respectfully submitted,

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